

GOVERNMENT
EXHIBIT

5

STATE OF CALIFORNIA - COUNTY OF SANTA CLARA, SW NO. _____

SEARCH WARRANT

CSW39553

COPY

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY PEACE OFFICER IN
THE COUNTY OF SANTA CLARA:

Proof by affidavit and under penalty of perjury having been sworn to this day before me by

Duane Tuell

that there is probable

cause for believing that the property and/or person described below may be found at the location(s)
set forth below and is lawfully seizable pursuant to Penal Code Section 1524 as indicated below by "x"(s) in that it:

- ☐ was stolen or embezzled
- ☐ was used as the means of committing a felony
- ☐ is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery
- ☐ tends to show that a felony has been committed or that a particular person has committed a felony
- ☐ tends to show that sexual exploitation of a child, in violation of Penal Code Section 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring
- ☐ there is a warrant to arrest the person
- ☒ when property is a firearm or deadly weapon pursuant to Penal Code section 12028.5
- ☐ when property is a firearm or deadly weapon pursuant to Welfare and Institutions Code section 8102
- ☐ when property is a firearm or deadly weapon pursuant to Family code section 6389 or 6218;

YOU ARE THEREFORE COMMANDED TO SEARCH:

The premises at [REDACTED] San Jose; further described as a single family residential. The house faces east and is located in a cul-de-sac, gray in color with green trims, and is marked with a placard labeled [REDACTED] on the side of the garage, and all rooms, attic, garage and storage areas.

The search of a white panel van with California license plate #5S33665 registered to "Fab For You" on 180 Lewis Road Ste 15 in San Jose. "Fab For You" is owned by the suspect.

FOR THE FOLLOWING PROPERTY/PERSON:

Removal of three (3) locked safes and gain access by any means necessary to seize any firearms contained therein, including but not limited to the following registered firearms:

- 1) SER/N061491 MAK/WAL CARL WALTHER CAL/22 TYP/P PISTOL MOD/P22CAMILIT
- 2) SER/386156659 MAK/FNB FAB NAT DARMES D GUE CAL/5728 TYP/P PISTOL MOD/FN57US
- 3) SER/PI1941 MAK/STE STEYR CAL/9 TYP/PI PISTOL SEMI-AUTOMATIC MOD/GB
- 4) SER/AAV204US MAK/GLC GLOCK, INC CAL/9 TYP/PI PISTOL SEMI-AUTOMATIC MOD/19
- 5) SER/125405 MAK/HEC HECKLER & KOCH CAL/9 TYP/PI PISTOL SEMI-AUTOMATIC MOD/P9S
- 6) SER/136095 MAK/HEC HECKLER & KOCH CAL/9 TYP/PI PISTOL SEMI-AUTOMATIC MOD/P9S
- 7) SER/D8765 MAK/FOZ CESKA ZBROJOVKA FOX CAL/9 TYP/PI PISTOL SEMI-AUTOMATIC MOD/CZ85B
- 8) SER/109020 MAK/HEC HECKLER & KOCH CAL/9 TYP/PI PISTOL SEMI-AUTOMATIC MOD/P9S
- 9) SER/A21775 MAK/STE STEYR CAL/9 TYP/PI PISTOL SEMI-AUTOMATIC MOD/SPP
- 10) SER/2118626 MAK/HEC HECKLER & KOCH CAL/9 TYP/PI PISTOL SEMI-AUTOMATIC MOD/SP 89

11) SER/211534 MAK/HEC HECKLER & KOCH CAL/9 TYP/PI PISTOL SEMI-AUTOMATIC MOD/SP-89

12) SER/45588 MAK/WAL CARL WALTHER CAL/32 TYP/PI PISTOL SEMI-AUTOMATIC MOD/MANURHINPP

AND TO SEIZE IT/THEM IF FOUND and bring it/them forthwith before me, or this court, at the courthouse of this court. This Search Warrant and incorporated Affidavit was sworn to as true before me this 24th day of June, 2010, at 2:00 PM / P.M. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

Paul R. Teile

[Signature of Magistrate]

Judge of the Superior Court, County of Santa Clara
(revised 1.19.10) D# _____



HOBBS SEALING APPROVED: YES ☐ NO ☐

NIGHT SEARCH APPROVED: YES ☐ NO ☐

PAUL R. TEILE

SEARCH WARRANT RETURN/RECEIPT
SAN JOSE POLICE DEPARTMENT

DATE 6/24/10 TIME 1600 CASE NO. 10-170-0272
 ADDRESS [REDACTED] WARRANT NO. CSW 39553
 OFFICER/BADGE A. NGUYEN #3435 UNIT FAMILY VIOLENCE UNIT EXT. 277-3700
D. TWEEL #3284

NO.	DESCRIPTION	LOCATION
1	GLOCK 19 SERIAL # AAV 20Y	BACK OF VAN IN BOXES
2	HK .45 AUTO BARREL SERIAL # 25-059604	↓
3	FORBUS PADDLE HOLSTER	↓
4	HK USP TACTICAL .45 AUTO (NO BARREL) SERIAL 25-059604	MASTER BEDROOM SAFE
5	MAG SLIDE	↓
6	HECKLER + KOCH P9S SERIAL # 186-095	LIVING ROOM SAFE
7	WALTHER MOD. PP SERIAL 45588	
8	JENNINGS FIREARMS INC J-22 ser. 183010	
9	FNH BELGIUM ser. 386156659	
10	CZ 75 KADET D8765 ser. A377497	
11	FED. ORD INC (MISSING SLIDE) ser. 109020	
12	CZ 85B CAL. 9 LUGER D8765 (MISSING RECEIVER)	
13	COLT SPORTER LIGHTWEIGHT CAL. 7.62 x 39 SERIAL # 0079583	
14	A.C.T. INC BWC-92 ser. 306342	
15	LIBERTY II CAL40 ser. T000412	
16	LIBERTY I CAL40 ser. R000140	
17	COLT SPORTER LIGHTWEIGHT ser. 5L016131 CAL. 223	
18	DE AL GSG-5 CAL 22 LR HV ser. A774798	
19	COLT SPORTER LIGHTWEIGHT ser. NL003912 CAL 9mm AUTO	
20	COLT MATCH TARGET COMPETITION HEART II CAL 223 ser. CJC 004488 / SCOPE: HC STAR 3-9x42RF	
21	COLT SPORTER LIGHTWEIGHT CAL. 7.62 x 39 ser. LH006430 w/SCOPE: TASCO DWCP1040X50 AT-98.8	
22	SITUM RUGER RANCH RIFLE CAL. 7.62 x 39 ser. 581-09848 w/SCOPE SHIMONS M1048	
23	HK SP89 CAL 9mm x 19 ser. 21-15341	
24	UNKNOWN MAKE/MODEL UPPER RECEIVER	
25	UNKNOWN MAKE/MODEL BOTTOM RECEIVER	

26) 60 MAGAZINES

